

**To:** Sweeney, Stephen[Sweeney.Stephen@epa.gov]  
**Cc:** Carl Dierker[Dierker.Carl@epa.gov]  
**From:** Stein, Mark  
**Sent:** Tue 7/19/2016 1:12:36 PM  
**Subject:** FW: DOS Correspondence re: WLDS/CLDS Final Rule  
removed.txt  
F-2016-0116 (DA) COR Final Rule.pdf

Steve (and Carl) – FYI – Attached is written confirmation that NY DOS finds our site use restrictions for the Central and Western Long Island Sound dredged material disposal sites consistent with the conditions that the state placed in its “Conditioned Concurrence” with our determination that our action was consistent with NY’s Coastal Zone Management Program.

Now we are focused on the eastern Sound! **Ex. 5 - Deliberative Process / Attorney Work Product**

We proposed designation of the “Eastern Long Island Sound Disposal Site” (ELDS)(which included part of the long-used “New London Disposal Site”), but also requested comment on two additional alternatives considered either as replacements for, or complements to, the ELDS. The two alternatives in question are the “Niantic Bay Disposal Site” (NBDS) and the “Cornfield Shoals Disposal Site” (CSDS).

## **Ex. 5 - Deliberative Process / Attorney Work Product**

## **Ex. 5 - Deliberative Process / Attorney Work Product**

Comments on our Proposed Rule were due yesterday. I haven’t yet read the full comments from the Corps, CT and NY, but my understanding is that we got the following comments:

The Corps supports designation of the ELDS, but also wants us to designate the CSDS to continue its historical use for materials “suitable for placement at a dispersive site.” It seems that

**Ex. 5 - Deliberative Process / Attorney Work Product**

**Ex. 5 - Deliberative Process / Attorney Work Product**

CT supports designation of the ELDS

**Ex. 5 - Deliberative Process / Attorney Work Product**

**Ex. 5 - Deliberative Process / Attorney Work Product**

The Navy supports designation of any site that can accept the type of materials that will need to be dredged from the waters around its base in Groton/New London (CT); namely, either the

**Ex. 5 - Deliberative Process / Attorney Work Product**

More to come...

Mark A. Stein

Senior Assistant Regional Counsel

EPA Region 1

5 Post Office Square, Suite 100

Mail Code ORA 18-1

Boston, MA 02109-3912

Tel.: 617-918-1077

E-Fax: 617-918-0077

Email: [stein.mark@epa.gov](mailto:stein.mark@epa.gov)

**From:** Cote, Mel

**Sent:** Monday, July 18, 2016 11:06 AM

**To:** Perkins, Stephen <[Perkins.Stephen@epa.gov](mailto:Perkins.Stephen@epa.gov)>; Hamjian, Lynne <[Hamjian.Lynne@epa.gov](mailto:Hamjian.Lynne@epa.gov)>; Stein, Mark <[Stein.Mark@epa.gov](mailto:Stein.Mark@epa.gov)>; Brochi, Jean <[Brochi.Jean@epa.gov](mailto:Brochi.Jean@epa.gov)>

**Subject:** FW: DOS Correspondence re: WLDS/CLDS Final Rule

FYI and our records.

Melville P. Côté, Jr., Chief

Surface Water Branch

U.S. Environmental Protection Agency, Region 1

Five Post Office Square, Suite 100 (OEP06-1)

Boston, MA 02109

O – (617) 918-1553

M – (857) 294-1709

<http://www.epa.gov/region1/topics/water/ocp.html>

**From:** Street, Jennifer (DOS) [<mailto:Jennifer.Street@dos.ny.gov>]  
**Sent:** Monday, July 18, 2016 10:12 AM  
**To:** Cote, Mel <[Cote.Mel@epa.gov](mailto:Cote.Mel@epa.gov)>  
**Cc:** Zappieri, Jeffrey D (DOS) <[Jeffrey.Zappieri@dos.ny.gov](mailto:Jeffrey.Zappieri@dos.ny.gov)>  
**Subject:** DOS Correspondence re: WLDS/CLDS Final Rule

Hi Mel,

Please find attached, correspondence that is being mailed today confirming our concurrence with the Final Rule, as all conditions of our April 25<sup>th</sup> letter have been incorporated into the Final.

Let me know if you have any questions or concerns.

Regards,

**Jennifer L. Street**

NYS Coastal Management Program

Office of Planning & Development

**New York Department of State**

99 Washington Avenue, One Commerce Plaza, Suite 1010, Albany, NY 12231

O: 518.474.1737 | [Jennifer.Street@dos.ny.gov](mailto:Jennifer.Street@dos.ny.gov) | [www.dos.ny.gov](http://www.dos.ny.gov)



